

ATTEST:


Sherry Ward, Clerk of the Board


Bill Brown, Chairman of the Board

May 9, 2011

The Board of County Commissioners of Adams County, Idaho, does hereby meet this Monday, May 9, 2011. There being present Chairman Bill Brown, Commissioner Mike Paradis, Commissioner Joe Holmes and Clerk Sherry Ward. Whereupon the following proceedings are had, to-wit:

Present are Cody Cahill, Adams County Record and Les Davis.

Chairman Bill Brown opened the Adams County Commissioner meeting at 9:15 am.

AMENDMENTS TO AGENDA: Simplex Grinnell – Fire/sprinkler/jail kitchen hood/portable fire extinguishers; Letter Forest Service Planning NRC/Hamilton; New Meadows Transfer Site-Mr. Doyle; Bear Creek Liquor License; Southwest District

Health Nomination; Commissioner Joe Holmes made a motion to amend the agenda. The motion was seconded by Commissioner Mike Paradis and carried unanimously.

Old Business

ADAMS COUNTY POWER PLANT: No discussion at this time.

LAKESHORE DISPOSAL AGREEMENT: The agreement is being reviewed by Myron Gabbert, Prosecuting Attorney. No discussion at this time.

New Business

MINUTES: After review of the minutes of April 25, 2011, Commissioner Mike Paradis made a motion to approve the minutes. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

Building Inspector Don Horton joined the meeting at 9:20 am.

CANCELLATION OF TAXES: After review of the cancellation request, Commissioner Joe Holmes made a motion to approve the cancellations. The motion was seconded by Commissioner Mike Paradis and carried unanimously.

PP000000004210T	Intralot Inc.	\$18.94
PP000000004209T	Intralot Inc.	\$5.93

ROCK FLAT CONDITIONAL USE PERMIT: After last week's review of the Rock Flat CUP the following amendments were made:

1. Notify landowners twenty-four (24) hours prior to any blasting
2. Allow employee camping on site with no more than fifteen (15) units
3. Sanitary measures are required

A letter was prepared to Seubert Excavators with the listed amendments. Commissioner Mike Paradis made a motion to approve and sign the letter amending the CUP with the amendments listed. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

SIMPLEX GRINNELL: Laura Molloy from Simplex Grinnell prepared a scope of work and breakdown of costs to get the annual inspections completed. The cost is approximately \$1800.00. No action was taken.

NEW MEADOWS TRANSFER SITE: The Clerk informed the Commission of a complaint she received on the New Meadows Transfer Site Supervisor. The Commission would like time set aside at the next scheduled meeting to talk with the Supervisor.

VARIANCE-HILLMAN BASIN PROPERTY: Present are Tom and Jan Mees and Don Horton, Building Inspector. The Mees' are requesting a variance concerning two 20 acre parcels they own. The land is located in the Hillman Basin area. The property was purchased in two parcels from two different landowners. Don Horton stated our Ordinance states that each lot shall abut to a County road. The road to the two parcels owned by the Mees' is private. The concern is that selling one of the lots will be violating the County Ordinance leaving one lot land locked. No action was taken.

BARB DIXON: Appointment for Barb Dixon with information from Washington County regarding Planning & Zoning was cancelled.

UPDATE ON QUARTERLY SALES TAX: The Clerk reported a reduction of \$3,500.00 from December 2010 to March 2011.

ROAD & BRIDGE: Present are the following, Horrock Engineering John Stone and Trevor Howard, Chris Friend and Tom Glenn.

May 9, 2011 – Continued:

Federal Highway Agreement-signature for Amendment 1: The Amendment is to include funding of \$120,000.00 for Wild Horse expenditures. Commissioner Mike Paradis made a motion to approve and sign the amended Federal Highway Agreement. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

Damage Assessment Reports from last Summer: Commissioner Mike Paradis asked to have the Forsgren invoices from last summer be included in the reimbursement of funds from the Federal Highways. The Clerk reported the invoice is for \$2,495.00.

Engineering Contract: Commissioner Bill Brown would like the prosecutor to review the contract before signing.

Water Resource Permits: The Commission discussed that the County is waiting for Water Resource Department to approve the permits. The permits in question were submitted in February and March.

Wild Horse Bridge at Bear Creek: After discussion, the bridge will not be moved the 40 feet down the creek it will remain where it is.

Middle Fork: Tom Glenn stated problems finding a gravel pit for the Middle Fork work. Tom will continue to look in other areas.

Goodrich Road: Commissioner Joe Holmes met with Gary Gallant to determine the location of the road. The map of where the road is to be located was given to the Building Department to submit to FEMA for funding allocation. In order for the right of way to be deeded properly to the County a need a full survey completed for the new road. Trevor Howard stated the survey will need to be done prior to the bidding process because bidders will not know how to bid. The surveyor will need to walk the area with Commissioner Joe Holmes.

Bidding Process: Trevor Howard stated the bidding process will need to be looked at very carefully since Middle Fork is a reimbursable agreement.

Goodrich Bridge: GeoTek and surveying of the bridge must be completed prior to FEMA allocating funds. Trevor stated as soon as he receives the survey he will proceed on abutments. The bridge will probably be placed in September.

Warm Springs: Trevor stated a bridge will not be allowed. Pre-cast footings, 20 ft steel arch will be installed.

SHERIFF MATTERS: Present Sheriff Rich Green and UnderSheriff Richard Borger.

Ambulance Service: The Commission discussed the letter received from the Advisory Board on the Sheriff's office wanting the Ambulance District to eliminate billing the Sheriff's office for inmates transported. The Ambulance Advisory Board recommended the Board of Commissioners reject the Sheriff's request.

Saint Luke's Life Flight: The Department of Correction (DOC) does not want to place inmates in Adams County Jail because of the costs to transport inmates from Adams County to health care facilities. The UnderSheriff is working on an agreement between Air Saint Luke's and Adams County to cut costs and reassure DOC. The cost for the County will be approximately \$8,500.00.

Myron Gabbert, Prosecuting Attorney, joined the meeting at 10:55 am.

Jail Control Panel Project: The Sheriff asked for permission to proceed with RFP on control panel.

Simplex Grinnell: The Commission discussed the need for annual reviews of the Sprinkler, Fire Alarm and Portable Fire Extinguishers.

Engineering Contract: Prosecutor Myron Gabbert reviewed the Horrock Engineering contract. Myron stated he would like the sentence to be deleted, "Any such certification or adaptation of completed documents will entitle engineer to further compensation at rates to be agreed upon by owner and engineer." Myron also recommended ICRMP review the liability section of the policy.

SOUTHWEST DISTRICT HEALTH-ANNUAL REPORT: Bruce Kosch and Patty Foster from Southwest District Health met with the Commission. The Board received a nomination form for Canyon County Commissioner Kathy Alder. After discussion, Commissioner Mike Paradis made a motion to approve Kathy Alder for District III. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

Southwest District Health-Annual Budget: Commissioner Mike Paradis made a motion to accept the budget as presented. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

CLAIMS: The claims totaling \$106,861.99 were reviewed by Commissioner Joe Holmes. After review Commissioner Joe Holmes made a motion to approve the claims. The motion was seconded by Commissioner Mike Paradis and carried unanimously.

PUBLIC HEARING-SMOKEY BOULDER PLANNED UNIT DEVELOPMENT (PUD): Present are Christy Ward, Planning & Zoning, Les Davis, Carrisa Sindon, Star News, Cody Cahill, Adams County Record, Don Horton, Building Inspector, Wade Pannell, Potlatch Corporation, Jim Fronk, Sesech Engineering, Circle C Homeowners: John Hucks, Linda Morris, Mike Schaffer, Mel Chambers, President of Circle C Homeowners Assoc., Carol Feider, Treasurer of Circle C HOA. Bob Sinclair joined the meeting by telephone.

Chairman Bill Brown started the public hearing by saying the meeting will be recorded, the Commission will not make a decision on the Smokey Boulder Planned Unit Development today and will leave the public hearing open for ten days. The Chairman asked Don Horton to give an overview of the issue. Commissioner Mike Paradis asked for a large plat map to be available for review. Chairman Bill Brown stated a letter from Bob Sinclair was presented. Building Inspector Don Horton stated the PUD was brought to Planning & Zoning after the original subdivision request was denied, the PUD was presented with larger parcels, a letter from P&Z to the Board of Commissioners stated the P&Z voted to approve the PUD with the following conditions: 1) Lots 1-4 will be accessed off Smokey Boulder Road, 2) Lots 5-7 are removed from the plat, 3) Noxious weeds and erosion are to be controlled, 4) Parameter fence is to be built and maintained, 5) Fire mitigation plan is to be in place, 6) All roads must meet County road standards. Chairman Bill Brown asked if the conditions have been agreed to by Potlatch, Building Inspector Don Horton stated yes they have been agreed too. Don Horton stated some of the conditions were placed on the plat. Don also stated part of the contentions right now is the notes added to the plat, some were part of the conditions Planning & Zoning placed on the PUD for approval.

Wade Pannell from Potlatch Corporation: Wade stated they agree with Building Inspector Don Horton with the process they went through. They believe they presented to the council the requirements of the recommendations for approval by the P&Z Commission. He is not sure what additions are being referred to other than the right of access and utility on an easement solely on Potlatch property, easement A, which gives Potlatch the right in the future if any development takes place on the remainder of the property owned by Potlatch the right to place utilities on easement A. The concerns and questions they have heard have to do with an easement across the Sinclair property, at this point this plat does not require the use of that easement and there is no intention to use the easement. All access for all four lots is from Smokey Boulder Road. Lot 1 has complete frontage to Smokey Boulder Road. Lot 2 has the required fifty feet of frontage on the road. Lot 3 and 4 has access along Smokey Boulder Road at a certain point located on the plat by the access easement. There are no intentions to use the Sinclair property or the easement Potlatch has across the Sinclair property, other than for the continued use that was allowed for the purpose of Potlatch. They have not transferred

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Potlatch PUD – Continued:

the use of the easement to any future lot owners. Potlatch has taken the recommendations of the Planning & Zoning Commission as well as the recommendations of the engineers to remove the use of the easement from the plat at this time. Jim Fronk stated the four lot subdivision is similar to the adjacent subdivision.

Wade Pannell stated the easement for utilities is Alpha referenced. The easement through the Sinclair property is numeric therefore indicating two different easements.

Wyatt Johnson stated he would be speaking on behalf of the Circle C Homeowners. Wyatt stated his clients have a lot of concerns and are really concerned about the application step. He wanted to take this opportunity to explain his point addressed in the letter to the Board. First he wanted to clarify the issue on the easement. He is not asking the Board to adjudicate the easement. He stated this is not the time and place to determine the scope of the easement that is off the Potlatch property. The reason it is important is for context, ultimately the compatibility with neighboring uses and the easement is a neighboring use. The easement is a concern to the Circle C Homeowners. The Circle C Homeowners appeared and testified. P&Z made a finding or condition that solved a lot of concerns by stating the lots have to have access off the Smokey Boulder Road. The problem with that is when the plat came out after the P&Z hearing there is no reference on the plat. The condition to have all lots access off Smokey Boulder Road, not off the easement, really solves the issue and reaches the compatibility of neighboring uses. It is of concern because of the absence of that condition and some of the conditions listed as notes on the plat. Wyatt asked for the Commission to list on the plat that the access for the lots is off Smokey Boulder Road not the easement. If Potlatch is agreeing with the condition why it is not listed? Second issue raised in the letter is the adding of utilities and service running through the easement whether or not that is compatibility with the existing easement that it connects to, again no one is asking the Commission to be final arbitrator of the scope of the easement that already exists there. Wyatt believes Potlatch is taking the approach that this is a natural expansion of the easement and the Circle C Homeowners do not naturally agree. They don't necessarily have to at this point because Potlatch is not asking for that expansion except for the finding by inserting the condition onto the plat creates a finding of compatibility between Circle C Homeowners and Potlatch. Wyatt asked for the issue of utilities off the plat and add the condition of access for the lots by way of Smokey Boulder Road. Their concerns are what might happen further down the road. The application needed to have details of the buildings to be attached and this would create better assurances to the Circle C Homeowners.

Chairman Bill Brown asked if Potlatch would like to rebut.

Wade Pannell: Stated he can accept the desire for Potlatch to limit future rights on the properties this application doesn't, in his mind, in any way convey any future rights on Potlatch property other than convey future rights for utilities on the property that they will sell to future landowners. It does not assume they have that right across the easement although they may challenge it in the future. Potlatch has different opinions on what that allowance of the easement means. Circle C Homeowners have a legal opinion and Potlatch also has a legal opinion. There are no major developing plans on the mountain behind the PUD. Potlatch is preserving the rights for utilities for one or two tracts for another time. Early on Potlatch met with Circle C with regard to annexing all 1600 acres of property into the Circle C Subdivision. We are trying to work together but do not want to forego future rights to make that happen. Potlatch does not have a problem adding a note on the plat with the condition restricting access to Smokey Boulder Road.

Jim Fronk stated Potlatch has met the County requirements by having frontage along the Smokey Boulder Road. From just a planning standpoint it is less destructive to come from one particular spot than another having an easement across the two properties.

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Potlatch PUD – Continued:

Wade Pannell: Restricting access to Smokey Boulder Road would be added to the plat unless at some future time access is granted across some other means. Whether that is to be a determination from the court on the easement across Sinclair's lot or some other means. He stated he would be happy to add that kind of note to the plat. Potlatch felt since there is no guaranteed access from anywhere else but from Smokey Boulder Road in the plat it was self-evident that all access would be from the Smokey Boulder Road.

Commissioner Mike Paradis asked if the plat has any CCR's or HOA?

Wade Pannell stated for only four lots it wasn't worth the effort.

Chairman Bill Brown opened the hearing to the general public.

Carol Feider, Circle C Homeowner and Treasurer of Circle C Association, stated part of the easement for the Circle C side says that the easement will not be public access and the gate will be locked. She would like to see Potlatch and Circle C work together to make sure that both parties respect each other's uses and keep the gate locked as per the easement agreement.

Linden Davis, Circle C Homeowner, stated he would like to ask Potlatch for clarification with regard to the rights of installation on utilities, would it start at the boundary of Potlatch property in hopes to run it to Smokey Boulder Road?

Wade Pannell: Utilities would not be connected unless sometime in the future it could be connected. There is potential for resolution at some point in the future whether it would be with Mr. Sinclair or not, Potlatch has made offers in the past. Potlatch is preserving that right for the future.

Linden Davis stated it would be good to make it clear Potlatch is talking about two separate entities. Easement A starts at Potlatch boundary and the existing easement as it is noted there is no easement A in the reference.

Wade Pannell stated he agrees more clarity with graphic references needs to be added.

Mel Chambers, Circle C homeowner, had a question for the Engineer, if Potlatch was going to run utilities to the north boundary why would it run down that easement which is twice as long to Smokey Boulder Road when you could go down lot 4?

Jim Fronk, Engineer, stated it may be a possibility in the future. The area is much steeper than the road.

Mel Chambers stated the Circle C homeowners feel like Potlatch is purposely hiding the easement because Potlatch wants to use the easement for something that the homeowners don't think it should be used for.

Wade Pannell stated Potlatch believes that the easement can be resolved in the future or may be resolved in the future for the benefit of Potlatch. "We are not here to argue that as your attorney has said and as we have said." The PUD would prefer to plow a power line up the shoulder of an existing road that up a 35% slope. The PUD thought it would be better to preserve their right so that in the future dealing with future lot owners in lot 2 and 3 who would possibly say you only had right to access not utilities also. Potlatch is making no assumption on Mr. Sinclair's lot.

John Hucks, Circle C homeowner, stating as a concerned citizen and not the attorney for the homeowners, two things Circle C has been concerned with from the beginning are the easement which is being resolved today and the second issue goes to the fact that originally this was submitted as a subdivision which required a zoning change and

the P&Z turned down the zoning change. Potlatch came back and filed a PUD application which is fine, but the PUD application involves a bargain between the County and the developer in exchange for not having to rezone the property. PUD's require much more specificity with regard to what you are going to build in order to avoid the rezoning process and one of the things that is expressly required in the PUD requirements and a point that Circle C brought up from the very beginning, is that the applicant has to set forth the architectural style, building design, material and color of what is going to be built within the PUD. That is why it is called a Planned Unit Development. Circle C has been concerned with this from the beginning as we don't know how many buildings were going to be built, if mobile homes were going to be accepted. All Circle C is looking for is a conformation and a condition which in a PUD, the P&Z or County Commissioners can impose because that is part of the PUD bargain, how many houses built on the lots, a limitation on how many buildings on each lot, a designation of minimum size and that they will all be stick-built houses. This is the understanding that Circle C has been looking for. There is none of that now, what the notes say now is built in compliance with building ordinance. The building ordinance allows a lot and a lot is not compatible with the surrounding community. Circle C is one of the most heavily restricted communities in the County. Circle C is not asking Potlatch to adopt those restrictions, it is only four lots, but it is reasonable for the County to require Potlatch to state how many buildings can be on the lots, minimum size, architectural style, building design, material and color of what is going to be built within the PUD. Only if you know what is going to be there can the County make the determination of compatibility and that one of the specific findings and facts in the PUD regulations. Circle C feels it is a reasonable thing to know. It is expressly required on page 29 of the Subdivision Ordinance which is the PUD rules. We are not asking the County to do anything that they are not entitled to do. PUD's are conditional uses and required to impose conditions. We are reasonable people and have reasonable requests.

Mel Chambers asked if for Lots 2 and 3 Potlatch will not use the easement or access up the Sinclair property.

Wade Pannell stated easement A is to convey rights to the property to the north. The easement may be used for driveways. Unless easement 10015 is determined to provide what Potlatch believes to be their rights then they would expand the easement to allow for that.

Mel Chambers had a question to the Board, you say they have access off Smokey Boulder Road, do they have to have it off their property line or can they use that easement to go to Lots 2 and 3 – just because they have property line on Smokey Boulder Road they may not use that as access they may use the easement.

Wade Pannell stated Potlatch has the only rights to the current easement. They are not conveying any rights to Lots 2 and 3 in this application. It may not be worth Potlatch's time, maybe when the market returns.

Mel Chambers asked if that can be a condition.

Don Horton stated the entire County requires public roads have a fifty-foot right of way and that is considered an access. They do not have to use it, if they acquire access in some other way that is okay. That clause was put in the Ordinance so there is not any land-locked property.

Wade Pannell stated Potlatch believes the way they have handled the easement is both forth right and they have told everybody how they are handling the easement and doesn't want to put the Board in a position to have to make a determination about the easement. They submitted a PUD only because of the direction of Planning & Zoning Commission and staff. P&Z said a PUD is the right way to move forward. Nowhere in the process were we told the application was incomplete because they didn't have

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Potlatch PUD Hearing – Continued:

building requirements. Maybe Potlatch can work on somewhere in between having a note on the plat to give reassurance.

Bill Brown stated for clarification that early on there were discussions between Potlatch and Circle C Homeowners but the communication dissipated.

John Hucks stated he wasn't privy to any discussion as to why Potlatch filed a PUD application.

Don Horton stated that as long as the PUD maintains the underlying zone, the P&Z doesn't go to the conditional use process. The reason for PUD is for the Circle C Subdivision. Circle C got in before the PUD process was in place. A PUD is for making small farms out of big farms as is the definition for the County.

Mike Paradis stated the County allows two building permits, living quarters, but cannot split the land.

John Hucks stated with all due respect for Don Horton, he disagrees with Don's interpretation of the County Ordinance. Clearly the ordinance states PUD must (shall) be subject to requirements set forth in both zoning code and subdivision code. "Planned Unit Developments shall be subject to requirements set forth in the zoning ordinance and also subject to all provisions within this Ordinance." Circle C put this in writing at the very beginning of this process to the P&Z. The Ordinance says the developer shall provide architectural style building design, building materials and colors. It is a requirement to have all the items addressed. Secondly there is technically a requirement for a Homeowners Association in a PUD. Circle C is not demanding a homeowners association but they are demanding some assurances of what is going to be built there. The assurances can be placed on the plat. Not only will Circle C be protected but the future buyers of Potlatch PUD as well. Circle C is just asking for the Ordinance to be applied.

Wyatt Johnson, Circle C Homeowner's Assoc Attorney, wants to wrap up the hearing. He stated the focus needs to be back on the plat. He suggested part of what comes out of this meeting should be placed on the plat, if not in one or two years all will be forgotten.

Chairman Bill Brown stated no decision will be made today. Everyone here today seems to be reasonable. Potlatch wants to be a good neighbor. I think the County can deliberate with Potlatch to get everything lined out. All the concerns expressed today have been taken down.

Bob Sinclair stated everyone wants to look after their own rights. In his opinion the easement is for logging purposes only.

CLAIMS FOR SMALL AMOUNTS: After review of the claims, the Board would like checks for \$.91 to not be issued for mileage to the Post Office as it is not financially prudent.

INDIGENT MATTERS: Chairman Bill Brown requested an Executive Session to discuss indigent matters. Commissioner Joe Holmes made a motion to go into Executive Session pursuant to IC 67-2345, (1) (D). The motion was seconded by Commissioner Mike Paradis and passed with a roll call vote as follows: Commissioner Bill Brown, aye, Commissioner Joe Holmes, aye, and Commissioner Mike Paradis, aye.

Commissioner Mike Paradis made a motion to adjourn the Executive Session and resume the regular meeting. The motion was seconded by Commissioner Joe Holmes and passed unanimously.

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Indigent – Continued:

Claims presented were as follows: 2011-05 for approval with findings and facts and initial determination, 2011-06 for approval with findings and facts and initial determination. Commissioner Joe Holmes made a motion to approve the cases as presented. The motion was seconded by Commissioner Mike Paradis and carried unanimously.

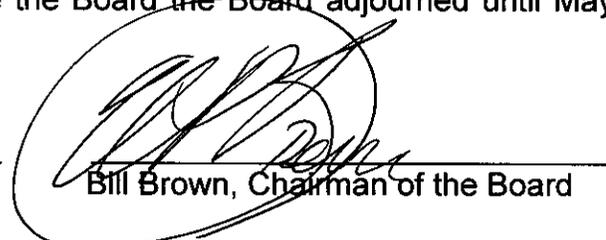
FOREST SERVICE PLANNING: A letter was presented for review, after review Commissioner Mike Paradis made a motion to approve and sign the letter. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

LIQUOR LICENSE: An application for a liquor license for Bear Creek Lodge was received. Commissioner Joe Holmes made a motion to approve the license. The motion was seconded by Commissioner Mike Paradis and carried unanimously.

With no further business to come before the Board the Board adjourned until May 16, 2011.

ATTEST:


Sherry Ward, Clerk of the Board


Bill Brown, Chairman of the Board

May 16, 2011

The Board of County Commissioners of Adams County, Idaho, does hereby meet this, Monday, May 16, 2011. There being present Chairman Bill Brown, Commissioner Mike Paradis, Commissioner Joe Holmes and Clerk Sherry Ward. Whereupon the following proceedings are had, to-wit:

Present was Les Davis

Chairman Bill Brown opened the Adams County Commissioner meeting at 9:18 am.

AMENDMENTS TO AGENDA: Ester Lambert; Fairgrounds water issue; Clarification Rock Flat Rock Pit letter; Schedule A/Agreement with Forest Service; Commissioner Joe Holmes made a motion to amend the agenda to include the items listed. The motion was seconded by Mike Paradis and carried unanimously.

ADAMS COUNTY POWER PLANT: Chairman Bill Brown submitted a reimbursement for mileage for Pete Johnston. The mileage reimbursement will be taken out of the Road & Bridge Fund.

PLANNING & ZONING: Chairman Bill Brown stated he will set up training in June when he goes to the Clerks and Commissioners training in Pocatello for the Planning & Zoning Commission.

MEES PROPERTY: Chairman Bill Brown stated he will prepare a letter on the issue.

EMPLOYEE MATTERS: Commissioner Joe Holmes made a motion to enter into Executive Session pursuant to IC 67-2345 subsection (B). The motion carried with three aye votes as follows: Commissioner Bill Brown, aye, Commissioner Mike Paradis aye, Commissioner Joe Holmes, aye.

Commissioner Mike Paradis made a motion to adjourn the Executive Session and resume the regular meeting. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

MINUTES: The minutes of the May 9, 2011 meeting were reviewed. Commissioner Mike Paradis would like to have clarification on the names of the easements of concern in the Potlatch public hearing. Commissioner Mike Paradis made a motion to approve

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Minutes – Continued:

the minutes with changes. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

BUDGET COURT APPOINTED ATTORNEY: The Clerk updated the Board on the line item for Court Appointed Attorney that is \$12,000.00 over budget. The reason is all the additional attorneys the County needs to appoint for defendants for cases with multiple defendants and the possibility of conflict of interest.

INTERIM CLAIMS: The interim claims in the amount of \$40,121.33 were reviewed by Commissioner Joe Holmes. After review of the claims Commissioner Joe Holmes made a motion to approve the claims as presented. The motion was seconded by Commissioner Mike Paradis and carried unanimously.

CANCELLATION OF TAXES: No tax cancellations were presented.

CERTIFICATE OF RESIDENCY: After review of the verified certificate of residency, Commissioner Mike Paradis made a motion to approve the certificate for Shawna Bennett. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

BUDGET WORKDAY: The June 13, 2011 meeting of the Board will be cancelled due to a conference in Pocatello. Commissioner Joe Holmes suggested the workshop be moved to the June 6, 2011 meeting of the Board. Commissioner Mike Paradis made a motion to change the meeting date from June 13, 2011 to June 6, 2011. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

SENIOR FIREWOOD: The Senior Firewood Program will be discussed during the Forest Service time.

Ron Hamilton joined the meeting at 10:05 am.

ROAD & BRIDGE/UPDATE OF FLOOD MATTERS: Present are the following, Road Supervisor Tom Glenn and Disaster Services Coordinator Don Horton.

Scrap metal County Shop: Tom reported the County received \$971.00 from the scrap iron that was around the shop in Council.

Pipe-Walker Lane: The Board directed Tom to order pipe and it would be charged to the Walker Lane Trust Account.

Gravel: Tom stated there is a need to have more rock crushed. The Board told Tom to move forward on the crushing.

Flood Matters-Goodrich Road: Don stated the money has not been obligated for the road. The road will be surveyed shortly, and the costs will be defined once the survey is complete.

SHERIFF MATTERS: Present Sheriff Rich Green and UnderSheriff Richard Borger. Don Horton also joined the meeting.

Communication Tower: The Sheriff reported the tower is improperly grounded and the estimate in correcting the problem is approximately \$10,000.00 to \$20,000.00.

Jail Control Panel: The Board expressed the possibility of using Homeland Security Grant Funding to purchase computers and cameras for the jail control panel. This would reduce the amount the County will have to upfront for the project.

FAIRGROUNDS WATER: After clarification from Jeff Gordon, the water is used only for watering the rodeo stock. Commissioner Mike Paradis stated he did not see a problem with the rodeo board using the fairground's well for watering the livestock during the rodeo time. Commissioner Mike Paradis will talk with Nancy Thompson with the Fair Board.

AGREEMENT/SCHEDULE A PAYETTE NATIONAL FOREST: The schedule has additional information regarding the Black Lake Road. Commissioner Joe Holmes

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Agreement Forest Service – Continued:

made a motion to approve and sign the agreement. The motion was seconded by Commissioner Mike Paradis and carried unanimously.

JEFF DOWNING PROPERTY: Jeff Downing did not keep his appointment with the Board regarding donating property to the County.

ASSESSOR MATTERS: Present are the following new Consulting Appraiser, Greg Hines, Assessor Karen Hatfield and Chief Appraiser Robin James.

After an introduction of the new consulting appraiser, Robin James gave the Board a review of the 2011 values. The County received a great response on the agriculture survey sent out by the Assessor's office. It is Greg Hines' recommendation that there will not be a change this year to agricultural land. After review, there were several categories that will be trending down. The County market value could be reduced from \$426,000,000.00 to \$370,000,000.00.

ESTER LAMBERT: Ester stated she received a bill from the State Tax Commission for 2007 and 2008 circuit breaker exemptions amounting to \$478.00. Ester stated she is in financial hardship and has no means to pay the bill, and she is asking for the County to assist her. The Board asked Assessor Hatfield to work with Ester in regard to the \$478.00. The area of concern is the hardship application. Karen stated she would help Ester in applying for the hardship.

BOARD OF EQUALIZATION: A motion was made by Commissioner Mike Paradis, seconded by Commissioner Joe Holmes and carried unanimously to enter into Board of Equalization under Idaho Code 67-2345(1)(d) with a roll call vote as follows: Commissioner Bill Brown, aye, Commissioner Mike Paradis, aye, Commissioner Joe Holmes, aye.

2011 CIRCUIT BREAKER APPLICATIONS: Commissioner Mike Paradis made a motion to approve the applications. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

Commissioner Mike Paradis made a motion to adjourn the Board of Equalization and resume the regular meeting. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

Doris Baker, Les Davis and Cody Cahill joined the meeting.

Dave Vasselka and Mark Briscoe joined the meeting.

FOREST SERVICE-MONTHLY UPDATE: Present are Greg Lesch, Kim Pierson and Gary Brown with the Forest Service and Ron Hamilton, Natural Resource Coordinator. Greg reported the Mill Creek/Council Program draft will be out in June.

Kim Pierson reported the Meadows Valley survey will be an assessment of the Meadows Valley. The assessment is to help stimulate the local economy. The North Ground Squirrel interpreter center will have a grand opening on June 8th. The Payette Coalition will have a field trip on July 20th. A new project called "Rapid River Travel Planning" is in the planning stages. The project will take the existing trail and move it out of the corridor. A NEPA decision will be this fall. More discussion held at a later date.

Gary Brown gave a presentation on what the upcoming year's fire season will be like. The climate is reviewed for what they expect for fire behavior. Doris Baker asked what the budget is for this year. Gary stated it is around \$10 million. The training is right on tract. Several fires were discussed that are going on in the states. Commissioner Mike Paradis is point-man for fire. No change for structure protection policy. The trend in leadership is to give intent, work as partners and keep people safe. Gary stated from

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Forest Service – Continued:

1998-2008 there has been twenty-two fatalities. The last issue is the economic costs which are approximately \$3 to \$4 billion each fire season.

DORIS BAKER-COUNCIL MOUNTAIN CLOSURES: Present are Dave Vaselka, Mark Briscoe, Jerry Yantis, Neal Nielson, Doris Baker and Sylvia Hulin. Doris stressed the importance of not allowing the Forest Service to close all our roads. Commissioner Mike Paradis encouraged all parties to come to the Natural Resource Committee (NRC) meetings so they could be informed. Natural Resource Coordinator Ron Hamilton stated the next month's NRC meeting will be addressing the road closure issues.

MIKE POFF-SNOWMOBILE GROOMING: Mike Poff stated the Snowmobile Rodeo will be in March of next year and would like the County to help do the grooming of the trails that will be used. The Commission did not see a problem with helping out next year. Specific dates will need to be given to the groomers in advance.

RENEWAL OF WEED AGREEMENT: The annual agreement between the County and the Northwest Youth Corps, (NYC) was reviewed. Commissioner Joe Holmes made a motion to approve and sign the agreement. The motion was seconded by Commissioner Mike Paradis and carried unanimously.

HORROCK ENGINEERING CONTRACT: Prosecutor Myron Gabbert reviewed the two issues he had with the contract. The Clerk stated ICRMP is reviewing the liability portion.

LAKESHORE DISPOSAL AGREEMENT: Prosecutor Myron Gabbert reviewed the proposed agreement with LakeShore Disposal. Myron stated the agreement has a cost price index and the right to negotiate increases for fuel, wages, etc. Myron believes LakeShore is double charging and suggests one or the other be taken out.

EXECUTIVE SESSION: A motion was made by Commissioner Joe Holmes, seconded by Commissioner Mike Paradis and carried unanimously to go into Executive Session pursuant to IC 67-2345(1) (b). Roll call vote as follows, Commissioner Bill Brown, aye, Commissioner Mike Paradis, aye, Commissioner Joe Holmes.

Commissioner Mike Paradis made a motion to adjourn the Executive Session and resume the regular meeting. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

INDIGENT: Commissioner Joe Holmes made a motion to approve the claims as listed. The motion was seconded by Commissioner Mike Paradis and carried unanimously.

Indigent Claim #2011-04 – Initial Determination and approval

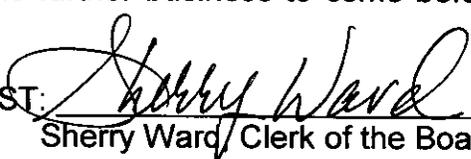
Indigent Claim #2011-07 – Lien approved

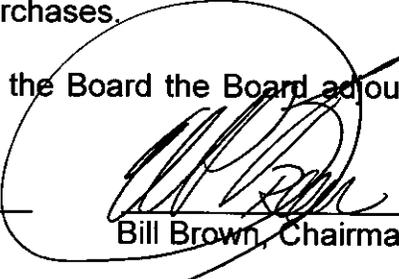
PUBLIC DEFENDER AGREEMENT: The Clerk stated the annual agreement was overlooked and will be prepared to the current and new fiscal year.

BUDGET: The Clerk is concerned about cash flow and the market values being reduced. The Clerk would like to see the Commissioners take a proactive roll instead of being reactive. The Commissioners asked the Clerk to prepare an email asking each department to be very conservative on purchases.

With no further business to come before the Board the Board adjourned until May 23, 2011.

ATTEST:


Sherry Ward, Clerk of the Board


Bill Brown, Chairman of the Board

May 23, 2011

The Board of County Commissioners of Adams County, Idaho, does hereby meet this Monday May 23, 2011. There being present Chairman Bill Brown, Commissioner Mike Paradis, Commissioner Joe Holmes and Deputy Clerk Peggy Pinkal. Clerk Sherry Ward was out of the office. Whereupon the following proceedings are had, to-wit:

Present is Les Davis

Chairman Bill Brown opened the Commissioner meeting at 9:05 am.

AMENDMENT TO AGENDA: Indigent Liens; Liquor License; Middle Fork Bid; Demand Check, Commissioner Joe Holmes made a motion to amend the agenda to include the items listed. The motion was seconded by Commissioner Bill Brown and carried unanimously.

LAKESHORE AGREEMENT: The Board reviewed the change proposed by Myron Gabbert, Prosecuting Attorney. The Board requested the agreement with the proposed change be sent to LakeShore for their review.

PLANNING & ZONING TRAINING: Chairman Bill Brown stated he has contacted Jerry Mason and will get a date set for training.

MEES PROPERTY: The Board agrees to allow a building permit on each parcel owned by the Mees', since each parcel was purchased from two different owners and combined at a later date, the split will be allowed. Chairman Bill Brown contacted Don Horton and a letter was prepared for signature.

POTLATCH PUD: The Board wants more discussion between Potlatch and the Circle C Homeowners Association. Communication has been received from both Potlatch and Circle C regarding continuing negotiations to resolve the differences. The Board requested a letter be sent to both parties informing them no decision would be made until they have reached an agreement. Tabled until the June 6, 2011 meeting.

MINUTES: The minutes of the May 16, 2011 meeting were reviewed by the Board. Commissioner Mike Paradis made a motion to approve the minutes as presented. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

PAYROLL CHANGE: The Deputy Clerk presented a request for a payroll change for Dave Herold in the Weed Department. The change is from A-1 to B-1 because he has passed his test for his applicator license. Commissioner Mike Paradis made a motion to approve the payroll change. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

EXECUTIVE SESSION: Chairman Bill Brown requested an Executive Session with Assessor Karen Hatfield present. Commissioner Mike Paradis made a motion to go into Executive Session pursuant to IC 67-2345, subsection d. The motion was seconded by Commissioner Joe Holmes. Roll call vote Joe Holmes aye, Bill Brown aye, and Mike Paradis aye.

Commissioner Mike Paradis made a motion to adjourn the Executive Session and resume the regular meeting. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

PAYROLL CHANGE: The payroll change presented by Assessor Karen Hatfield for Shar Armistead, Appraiser, from D-4 to C-5 as she is a Certified Appraiser and that is the pay-grade in the BDPA Salary survey. Commissioner Mike Paradis made a motion to approve the change. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

WEED MATTERS: Weed Supervisor Dave Klaw met with the Board to present the Weed Agreement with the USDA Forest Service for \$7,000.00 for spraying on forest land. Commissioner Mike Paradis made a motion to approve and sign the agreement

May 23, 2011

Weed Matters – Continued:

for 2011 spraying. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

PUBLIC DEFENDER CONTRACT: The contract for Public Defender services with Tim Felton was presented to the Board for review. The contract will run from October 1, 2010 to September 30, 2012. The contract amount of \$2092.00 per month will remain unchanged. Commissioner Mike Paradis made a motion to approve and sign the contract as presented. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

INTERIM CLAIMS: The interim claims were reviewed by Commissioner Joe Holmes. After review Commissioner Joe Holmes made a motion to approve the claims in the amount of \$18,495.81. The motion was seconded by Commissioner Mike Paradis and carried unanimously.

LIQUOR LICENSE: An application from Meadow Creek Golf Course was presented for the sale of Draught Beer and Retail Liquor. The application was reviewed by the Board. Commissioner Joe Holmes made a motion to approve the license. The motion was seconded by Commissioner Bill Brown and carried unanimously.

SENIOR FIRE WOOD: Commissioner Mike Paradis reported he has received the approval for the Senior Fire Wood Program through 2013. Mike feels there needs to be changes to the agreement and will discuss the agreement further with Kim Pearson, New Meadows Forest Ranger. Further discussion was scheduled for June 6, 2011.

TAX EXEMPTION: An application for Property Tax Exemption was received from the Cuprum Benevolent Preservation Society for acreage within the town site of Cuprum. Upon review of the application Commissioner Joe Holmes made a motion to approve the application for one year. The motion was seconded by Commissioner Mike Paradis and carried unanimously.

CANVASS OF VOTES: The Board met as a Board of Canvassers for the Salmon River School District Levy election and the Council School District Levy and Trustee election. The Board canvassed Salmon River School with the results of 21 yes and 12 no votes. The Board canvassed the Council School with Levy results of 196 yes and 218 no votes, the Trustee results of Kevin Gray 39 and Melissa Roundtree 55 votes. Commissioner Mike Paradis made a motion to sign the Certification of Election for both elections. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

ROAD & BRIDGE: Road Supervisor Tom Glenn inquired about having Jerry Nichols move the existing Bridge at Goodrich. The Board stated they would like to hold off until closer to the replacement of the Bridge.

Indian Valley Culvert: Discussion was held on the request of a culvert to place for a landowner in Indian Valley with the available use by the Road & Bridge Department. The Board approved giving the culvert with the landowner doing all the work up to County specs and the culvert will benefit the Department.

Road Repair: Discussion was held on the work needed on Missman Road and Grey's Creek Road this year. The Board stated they would like Missman Road spot repaired this as well as the end of Orchard. The money for repaving Missman Road will be budgeted for next summer. The Board stated they want Grey's Creek Road dug down and the base built up with gravel for one year with paving to be done next summer.

May 23, 2011 – Continued:

Discussion was held on the culverts and head gates for Walker Lane in the Meadows Valley area. Tom stated they have been ordered.

May 23, 2011 – Continued:

Middle Fork Flood Repair: The bid for the Middle Fork Flood Repair was received from Trevor Howard, Engineer, for review by the Board. After review Commissioner Mike Paradis made a motion to approve the bid for publication May 26, 2011 and June 2, 2011 with a pre-bid meeting on May 31, 2011 at the Courthouse with bid opening on June 14, 2011 at 2:00 pm at the Adams County Courthouse. Commissioner Joe Holmes seconded the motion which carried unanimously.

SHERIFF MATTERS: Under Sheriff Richard Borger met with the Board regarding Sheriff Department matters. The communication tower was discussed. The Board questioned the \$42,000.00 cost estimate for repairs to the tower. Richard stated the amount of work needed to repair the problem is more extensive than first thought. There was not a cover installed on the conduit where the cables are and the conduit has filled with water from rain and snow fall in the past ten years making the cables unreliable. The water must be cleared from the conduit and new cables pulled to repair all the damage. The Board questioned where the funds would come from to pay for the repairs. Richard informed the Board there is money from Homeland Security due to the nature of the communications for security. The Board informed Richard when the funding is available the work will be authorized.

SOLID WASTE: The Board inquired as to the injury to David Haynie, New Meadows Transfer employee. Upon being informed of the need for surgery due to the accident the Board requested a letter be sent to Mr. Haynie expressing the concern of the Board and requesting an appointment be set up upon his release to return to work.

EXECUTIVE SESSION: Chairman Bill Brown requested an Executive Session. Commissioner Joe Holmes made a motion to enter into Executive Session pursuant to IC 67-2345, subsection d. The motion was seconded by Commissioner Mike Paradis and carried with Commissioner Joe Holmes, aye, Commissioner Mike Paradis, aye, and Commissioner Bill Brown, aye. Commissioner Mike Paradis made a motion to adjourn the Executive Session and resume the regular meeting. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

INDIGENT LIEN: Commissioner Mike Paradis made a motion to sign liens on Case 11-03 and 11-08. The motion was seconded by Commissioner Joe Holmes and carried unanimously.

With no further business to come before the Board the Board recessed until June 6, 2011.

ATTEST:

